

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 21-24 and 26 are presently active; Claims 14-20 and 25 having been withdrawn from consideration. Claims 1-13 having been previously canceled without prejudice, and Claim 21 having been presently amended. No new matter has been added.

In the outstanding Office Action, Claims 21-24 and 26 were rejected under 35 U.S.C. § 112, first paragraph, for failing the enablement requirement. Claims 21-24 and 26 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 21-24 and 26 were rejected under 35 U.S.C. § 102(b) as being anticipated by Held (U.S. Pat. No. 6,030,538).

Regarding the 35 U.S.C. § 112, first and second paragraphs, rejections to Claims 21-24 and 26, the language “means for subjecting the flow of effluent to a pulsed electric field that includes adjustable voltage value, current value, pulse repetition frequency, and voltage front shape characteristics” is illustrated in the specification by element 5 disclosed on page 19, lines 12-21, as:

The effluent treatment head is marked as reference 5. It comprises an inductance 6 connected in parallel. To charge, the switch is in position a and the resistant 5 representing the treatment head is shorted by the presence of the pure inductance 6. To discharge, the switch is on position b, and the higher power switching system consisting of the capacitor 3 and the inductance 4 outputs a discharge with characteristics consisting of a voltage of 5 to 50 kV and a current of 50 to 2600 A for 1 μ s.

The specification further states at page 23, lines 13-21, in relation to Figure 3 that:

The effluents are firstly subjected to pulsed electrical fields output by a PEF device 12 before arriving at membrane systems 13, 14, and 15.

In this disclosure, the means for subjecting the flow of effluent to a pulsed electric field that includes adjustable voltage value, current value, pulse repetition frequency, and voltage front shape characteristics are given by the pulsed electrical field device and the associated

circuitry (described above) for current discharging and charging. Thus, it is respectfully submitted that the 35 U.S.C. § 112, first and second paragraphs, rejection should be removed now that examples of the means have been more fully explained.

Regarding the rejection on the merits, M.P.E.P. § 2131 requires for anticipation that each and every feature of the claimed invention must be shown and requires for anticipation that the identical invention must be shown in as complete detail as is contained in the claim. Claims 21 presently defines that the means for subjecting the affluent to the pulses electric field operates according to a discharge mode that obtains a pulse discharge by discharge through a load inductor. Held provides no teaching of a load inductor. Held merely disclose that:

Thus, the laminar-flowing sludge is subject to what may be called an “electro-baric” field, which is an electric field exposed to constant-pressure flowing media. A conventional, solid-state pulse generator 48, such as that produced by Scientific Utilization, Inc. of Huntsville, Ala., having a capacitive discharge circuit receives power from a power supply 50. Power switching is accomplished via a spark gap, “Thiotron”, or solid state switch. The pulse control unit, the power supply and switching sub-system are standard commercially available items regularly used in the electric power, laser, and bio-technology industries.¹

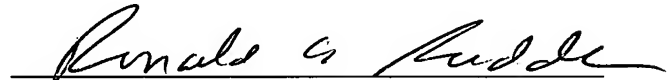
Thus, it is respectfully submitted that independent Claim 21 and the claims dependent therefrom patentably define over the cited references in the Office Action.

¹ Held, col. 8, lines 34-45.

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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